

**Administrative Case Initiation Data Form**  
Submitted

EA #:  
Date Entered:  
ORC Branch:

Complaint Stage  
(at time of submittal)

Final

**Information**

Administrative Docket or Index  
Number

TSCA-02-2015-9101

Enforcement Action Name

38 COAH Associates, LLC

Site(s):

Former ALCOA Building 12

Enforcement Action Type

TSCA 16 Action for Penalty

Primary Statute/Section Violated

TSCA 6E - Poly Chlorinated Biphenyls (PCBs)

Other Statutes/Sections

CFR Citations:

761.50(b)(3); 761.65(c)(9); 761.60(c)(1); 761.207(a)(1);

**Priority Activity**

☒ Core Priority

EPA Lead Attorney

Lee Spielmann

ORC-WTSB-TST

(office) 212-637-3222

EPA Program Contact

Vivian Chin

DECA-PTSB-TS

(office) 732-906-6179

Violation Type

Violation of PCB rules

Was this action taken in response to a violation found through an Inspection?

☒ Yes ☐ No

ICIS Inspection Name:

Date: 06/16/2014

Was this a Multi-Media action? (check all that apply)

☐ Yes ☒ No

Is the community impacted by the alleged violation(s) different than the location of the Respondent(s)/Defendant(s)?

☐ Yes ☒ No

Do you have reason to believe that environmental justice concerns may be raised?

☐ Yes ☒ No

NextGen element included in final order/settlement?

☐ Yes ☒ No

Was Voluntary Disclosure Policy applied to this action?

☐ Yes ☒ No

Respondent disposed of PCB remediation waste from the Site at an unauthorized location (Veterans Field). Respondent also improperly stored PCB remediation waste, improperly disposed of PCB containers, failed to manifest PCB waste, and improperly identified the out of service date and generator on manifests for shipment of PCB waste. Veterans Field is being remediated, the containers had some decontamination prior to shipment, and improperly stored waste, unmanifested waste and waste shipped with incorrect manifest information were properly disposed.

Proposed Penalty \$141,610.00 (amount sought)

Proposed Cost Recovery \$0.00 (amount sought)

Is this an amended complaint? ☐ Yes ☒ No

Date Complaint/Agreement 09/29/2015

---

## Case Conclusion Data Sheet

Submitted

EA #:  
Date Entered:  
ORC Branch:

### Information

#### Case and Facility Information

Court or Administrative Docket  
or Index Number

TSCA-02-2015-9101

Enforcement Action Name

38 COAH Associates, LLC

Site(s):

Former ALCOA Building 12

Enforcement Action Type

TSCA 16 Action for Penalty

Primary Statute/Section Violated

TSCA 6E - Poly Chlorinated Biphenyls (PCBs)

Other Statutes/Sections

CFR Citations:

761.50(b)(3); 761.65(c)(9); 761.60(c)(1); 761.207(a)(1);

#### Priority Activity

☒ Core Priority

EPA Lead Attorney

Lee Spielmann

ORC-WTSB-TST

(office) 212-637-3222

EPA Program Contact

Vivian Chin

DECA-PTSB-TS

(office) 732-906-6179

Violation Type

Violation of PCB rules

Was this action taken in response to a violation found through an Inspection?

☒ Yes ☐ No

ICIS Inspection Name:

Date: 06/16/2014

Does the action involve Integrated Planning (IP) remedies consistent with EPA's Integrated  
Municipal Stormwater and Wastewater Planning Approach Framework?

☐ Yes ☒ No

Was this a Multi-Media action? (check all that apply)

☐ Yes ☒ No

Is the community impacted by the alleged violation(s) different than the location of the  
Respondent(s)/Defendant(s)?

☐ Yes ☒ No

Do you have reason to believe that environmental justice concerns may be raised?

☐ Yes ☒ No

NextGen element included in final order/settlement?

☐ Yes ☒ No

Was Voluntary Disclosure Policy applied to this action?

☐ Yes ☒ No

Was Alternative Dispute Resolution used in this action?

☐ Yes ☒ No

Conclusion Type

Administrative Penalty Order

**DATES Milestones:** DECA tracks some milestones in the DATES database. If this action has milestones that need to be tracked in DATES, please indicate.

Does this action have DATES milestones? ☐ Yes ☒ No

Date of Final Order Lodging

Date of Final Order

09/29/2015

Estimated Termination Date

Resolution Code

Final Order with Penalty

Complying Action

Complying Action

Removal and Restoration

Total Cost: \$1,000,000.00

Type

☐ Removal of Contaminated Media

Units

☐ Pounds

Media

Land

Pollutant	Amount	National Priority	Regional Priority	OECA Core Pgm
POLYCHLORINATED BIPHENYLS (PCBS)	927688			Yes

Type

Units

Media

Type

Units

Media

Reduction of Ongoing Releases

Total Cost: \$0.00

Type

Units

Media

Type

Units

Media

Type

Units

Media

Prevention of Future Releases

Total Cost: \$0.00

Type

Units

Media

Type

Units

Media

Type

Units

Media

Work Practices

Total Cost: \$0.00

Type

(Enter additional types  
on separate lines)

Injunctive Relief - Old Method

Injunctive Relief/Complying Action

Direct Action to Reduce, Eliminate, or Treat Pollutants

Direct Environmental  
Reduction

Cost\$0.00

Preventative Actions to Manage Waste Streams or Prevent Releases/Exposures

Preventative

Cost

Facility Management or Information Practice

Facility Management or  
Information Practice

Cost

Quantitative Environmental Impact

SEP

SEP(s)

Penalty

Penalty

Final Assesed Penalty (Not including value of any SEP)

EPA \$87,500.00

State and Local Government \$0.00

For Multi-Media actions, enter the Federal amounts by statute:

Statute

Amount

Cost Recovery

CERCLA Cost Recovery

Amount of cost recover awarded

EPA \$0.00

State and Local Government \$0.00

Summary

Case Summary

Respondent disposed of PCB remediation waste from the Site at an unauthorized location (Veterans Field). Respondent also improperly stored PCB remediation waste, improperly disposed of PCB containers, failed to manifest PCB waste, and improperly identified the out of service date and generator on manifests for shipment of PCB waste. Veterans Field is being remediated, the containers had some decontamination prior to shipment, and improperly

stored waste, unmanifested waste and waste shipped with incorrect manifest information were properly disposed. The final penalty assessed is \$87,500.

#### Self Disclosure

##### Self Disclosure Information

Disclosure under Audit Policy? ☐ Yes ☒ No  
Disclosure under EPA's Small Business Policy? ☐ Yes ☒ No

#### Milestones

Description	Frequency	Page	Due
-------------	-----------	------	-----